

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JUNE 13, 2006  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Council President Peters at 10:08 a.m. Council President Peters announced the winners of the Rock and Roll Marathon. The meeting was recessed by Council President Peters at 11:00 a.m. for the purpose of a break. Council President Peters reconvened the meeting at 11:14 a.m. with all Council Members present. Council President Peters recessed the meeting at 11:58 a.m. for the noon break to reconvene at 2:00 p.m.

The meeting was reconvened by Council President Peters at 2:00 p.m. with Council Member Hueso not present. Council President Peters recessed the meeting at 2:50 p.m. into Closed Session. Council President Peters reconvened the meeting at 4:23 p.m. with Council Members Maienschein, Frye, and Madaffer not present. The meeting was adjourned by Council President Peters at 6:17 p.m.

**ATTENDANCE DURING THE MEETING:**

- (1) Council Member Peters-present
- (2) Council Member Faulconer-present
- (3) Council Member Atkins-present
- (4) Council Member Young-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Hueso-present

Clerk-Maland (er/g)

FILE LOCATION:                      MINUTES

ITEM-300: ROLL CALL

Clerk Maland called the roll:

- (1) Council Member Peters-present
- (2) Council Member Faulconer-present
- (3) Council Member Atkins-present
- (4) Council Member Young-present
- (5) Council Member Maienschein-present
- (6) Council Member Frye-present
- (7) Council Member Madaffer-present
- (8) Council Member Hueso-present



ITEM-30: 2006 Western States Police and Fire Games Week.

**COUNCILMEMBER ATKINS' RECOMMENDATION:**

Adopt the following resolution:

(R-2006-1019) ADOPTED AS RESOLUTION R-301535

Commending the organizers, volunteers, sponsors, and participants of the 2006 Western States Police and Fire Games and welcoming them to the City of San Diego;

Proclaiming the week of June 18-25, 2006, to be "2006 Western States Police and Fire Games Week" in the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:08 a.m. – 10:14 a.m.)

MOTION BY ATKINS TO ADOPT. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-yea, Madaffer-yea, Hueso-yea.

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Don Stillwell commented on the safety of school children and the hazardous bus stop at Kaiser Hospital.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:22 a.m. – 10:25 a.m.)

PUBLIC COMMENT-2:

Hud Collins commented on the pension and financial crisis.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:25 a.m. – 10:28 a.m.)

PUBLIC COMMENT-3:

Guy Preuss commented on the distribution of planning group agendas and Reo Drive project.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:28 a.m. – 10:30 a.m.)

PUBLIC COMMENT-4:

Al Strohlein commented on the recent elections.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:30 a.m. – 10:33 a.m.)



**PUBLIC COMMENT-5:**

Kevin McClure commented on marijuana dispensaries.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:33 a.m. – 10:36 a.m.)

**PUBLIC COMMENT-6:**

Ron Boshun commented on Council's actions.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:36 a.m. – 10:39 a.m.)

**PUBLIC COMMENT-7:**

Reverend James Gilbert commented on the proper priorities for public servants.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:39 a.m. – 10:42 a.m.)

**PUBLIC COMMENT-8:**

Teresa Higgins commented on affordable housing.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:42 a.m. – 10:43 a.m.)

**PUBLIC COMMENT-9:**

Harris Teller commented on housing.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:43 a.m. – 10:46 a.m.)

**PUBLIC COMMENT-10:**

Homer Barrs commented on rent stabilization.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:46 a.m. – 10:47 a.m.)

**PUBLIC COMMENT-11:**

Tim Sheahan commented on mobile home rent protection.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:47 a.m. – 10:48 a.m.)

**PUBLIC COMMENT-12:**

Jarvis Ross commented on the Miramar airport.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:48 a.m. – 10:51 a.m.)

**PUBLIC COMMENT-13:**

Jinna Albright commented on the salary and benefits of police officers.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:51 a.m. – 10:54 a.m.)

**PUBLIC COMMENT-14:**

Steve McMillan commented on police officer retention.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:54 a.m. – 10:57 a.m.)

**PUBLIC COMMENT-15:**

Doug Beckham commented on public safety.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Time duration: 10:57 a.m. – 11:00.)

**COUNCIL COMMENT:**

None.

**INDEPENDENT BUDGET ANALYST COMMENT:**

None.

CITY ATTORNEY COMMENT:

None.



ITEM-310: Amendments to the Condominium Conversion Regulations of the Land Development Code.

To consider ordinances amending the Land Development Code regulations in Articles 5 and 6 of Chapter 12, and Articles 2, 3, and 4 of Chapter 14 regarding condominium conversions; and the Land Development Manual regarding noticing for condominium conversions. Within the Coastal Zone the decision to approve, conditionally approve, modify, or deny the ordinances and the amendment to the Local Coastal Program will be made by the City Council at a future public hearing.

(See Report to the City Council No. 06-043. Citywide.)

**STAFF'S RECOMMENDATION:**

Introduce the ordinances in Subitems A, B, and C; and adopt the resolution in Subitem D:

Subitem-A: (O-2006-133) INTRODUCED AS AMENDED, TO BE ADOPTED ON  
TUESDAY, JUNE 27, 2006

Introduction of an Ordinance amending Chapter 12, Article 5, Division 4, of the San Diego Municipal Code by amending Section 125.0431; amending Chapter 12, Article 6, Division 5, by amending Section 126.0504; amending Chapter 14, Article 2, Division 4, by amending Sections 142.0402, 142.0404, and 142.0409; amending Chapter 14, Article 2, Division 13, by amending Section 142.1306; amending Chapter 14, Article 3, Division 3, by amending Section 143.0302; amending Chapter 14, Article 4, Division 5, by amending Sections 144.0503, 144.0504, 144.0505, and 144.0507; amending Chapter 14, Article 4, Division 5, by repealing Section 144.0506; amending Chapter 14, Article 4, Division 5, by adding a new Section 144.0508; and amending Chapter 14, Article 4, Division 5, by renumbering Section 144.0508 to Section 144.0509; all relating to condominium conversion regulations.

Subitem-B: (O-2006-134) INTRODUCED, TO BE ADOPTED ON TUESDAY,  
JUNE 27, 2006

Introduction of an Ordinance amending Chapter 14, Article 2, Division 5, of the San Diego Municipal Code by amending Sections 142.0505 and 142.0525, relating to condominium conversion regulations.

Subitem-C: (O-2006-135) INTRODUCED, TO BE ADOPTED ON TUESDAY,  
JUNE 27, 2006

Introduction of an Ordinance amending the Land Development Manual to include an appendix of sample notices required for condominium conversions.

Subitem-D: (R-2006-979) ADOPTED AS RESOLUTION R-301536

Adoption of a resolution stating for the record that Environmental Impact Report Addendum No. 100693 has been completed in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, and that said Addendum No. 100693 reflects the independent judgment of the City as Lead Agency;

Stating for the record, that the amendments to the Land Development Code by Ordinance Numbers O-2006-133, O-2006-134, and O-2006-135 are a subsequent discretionary approval of the addressed in Environmental Impact Report, No. 96-0333, and therefore this action is not a separate project under CEQA Guideline Section 15060(c)(3);

Stating for the record that the information contained in the Environmental Impact Report, No. 96-0333, Addendum to EIR No. 96-0333, and Environmental Impact Report Addendum No. 100693, including any comments received during the public review process, have been previously reviewed and considered by this Council and it is determined that this subsequent discretionary approval of the amendments to the Land Development Code by Ordinance Numbers O-2006-133, O-2006-134, and O-2006-135, do not involve any new direct, indirect, cumulative impacts, substantial changes, or new information of substantial importance that would warrant any additional environmental review, new CEQA Findings, or a Statement of Overriding Consideration.

**OTHER RECOMMENDATIONS:**

Planning Commission on May 26, 2005, made 13 recommendations to the Land Use & Housing Committee.

1. Provide a tiered system for providing relocation assistance. Vote: 5-1-1.
2. Do not tie approval of condominium conversions to vacancy rate for low and moderate cost units. Vote: 6-0-1.
3. Require a building conditions report with the exception of parking. Vote: 6-0-1.
4. Projects built before 1992 should meet parking standards in Planning Commission Report No. 05-151, those built after 1992 should meet current standards, and develop a process for deviations. Vote: 5-1-1.
5. Require undergrounding of utilities only from the power source to building. Vote: 5-1-1.
6. Require condominium conversions of ten or more units to satisfy the inclusionary housing requirement onsite. Vote: 5-1-1.
7. A new condominium conversion ordinance should only apply to applications for conversions received on or after the date a new ordinance is approved. Vote: 6-0-1.
8. Do not require relocation fees for off-the-shelf condominium conversions. Vote: 6-0-1.
9. Staff should address and bring to LU&H a method to address projects that did not pay park fees when developed. Vote: 5-1-1.
10. There should be no minimum project size requirement for converting to condominium. Vote: 6-0-1.
11. Economic hardship should not be used as a finding for deviating from standards. Vote: 4-2-1.
12. Do not restrict purchasers from selling their units for a specified time period. Vote: 6-0-1.
13. Develop a one page or one page two-sided notice of tenant rights to be provided with the first notice. Vote: 6-0-1.

This is a matter of City-wide effect. The following community group(s) have taken a position on the item:

**In Favor:**

Greater North Park Community Planning Committee-Favorable with recommendations (correspondence of Sept. 12, 2005).

Community Planners Committee (CPC)-Favorable with recommendations (minutes Oct. 25, 2005).

Opposed: N/A

**STAFF SUPPORTING INFORMATION:**

On January 24, 2006, the City Council adopted amendments to the condominium conversion regulations that were generally accepted by all stakeholders. Recommendations on the outstanding issues of relocation assistance, noticing, parking, and inclusionary housing follow.

*Relocation Assistance* - Require that all households displaced by a condominium conversion receive three months rent, based on the San Diego “fair market rent,” as established by the U. S. Department of Housing and Urban Development. Payment would occur no later than the date the applicant receives the notice to terminate tenancy. The annual rental vacancy rate determination would be deleted, and the Housing Commission would receive a \$200 fee for each unit proposed to be converted, as well as reimbursement for reasonable costs associated with implementation.

*Noticing* – The changes to the noticing requirements would simplify the process, add predictability, and increase accessibility of information to affected tenants by adding three new notices, providing samples of notices, and addressing potential language barriers, and directing interested parties to the minutes of hearings for conversions.

*Parking Standards* - Require 1 parking space for 1 bedroom and studio units, 1.25 spaces for 2 bedroom units, and 1.5 spaces for three bedrooms or more. Existing parking spaces within the front yard setback would not be counted toward the required number of parking spaces. Projects that do not comply may request a deviation through a Site Development Permit.

*Inclusionary Housing* - Require conversions of ten or more units to satisfy their inclusionary housing requirements onsite for every whole number of units required under the inclusionary housing regulations with payment of the in-lieu fee for fractions of units required.

**FISCAL CONSIDERATIONS:**

Condominium conversions are processed through a deposit account paid for by the applicants. The ordinance allows the Housing Commission to charge a fee for each proposed conversion, and to be reimbursed for reasonable costs incurred implementing the regulations.

**PREVIOUS COMMITTEE ACTION:**

On April 26, 2006 Land Use & Housing voted to move the project forward for full City Council consideration by a vote of 4-0 (Report No. 06-043).

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

The condominium conversion regulations have been the subject of 3 public workshops, a City Council hearing, and presentations before the Community Planners Committee, the Code Monitoring Team, and the Land Use & Housing Technical Advisory Committee.

**KEY STAKEHOLDERS AND PROJECTED IMPACTS:**

Stakeholders include converters, tenants, buyers, the affordable housing groups, the BIA, the real estate industry, the disabled community, and community planning groups. The amendments would result in the following projected impacts.

- Most pre-1971 buildings would not convert, eventually running their course and redeveloping consistent with community plans and development regulations.
- The reduction of conversions would represent a proportionate reduction in displaced tenants.
- Condominium conversions of ten or more units would provide affordable housing units.
- The onsite inclusionary housing requirement and the tenant relocation assistance for all tenants would each represent additional, but known, costs for the converter.
- Fewer lower cost “for sale” residential units in the future.

Halbert/Waring/DJ

Staff: Dan Joyce – (619) 446-5388  
Deputy City Attorney - David Miller

**FILE LOCATION:** SUBITEMS A, B, & C: NONE  
SUBITEM D: MEET

**COUNCIL ACTION:** (Time duration: 11:14 a.m. – 11:58 a.m.;  
2:01 p.m. – 2:50 p.m.)

Testimony in opposition by Teresa Quiroz, Julaine Anton, John Leppart, Chris Christenson, Cameron Scott, Jeremy Cowan, Mr. Bateman, Neal Napote, Mike McCirio, and Brian Fish.

Testimony in favor by Donald Davis, Gregg Robinson, Catherine Rodman, Richard Lawrence, Ann Menasch, Arlen Shire, and Martin McGee.



MOTION BY ATKINS TO INTRODUCE THE ORDINANCE AS AMENDED IN SUBITEM A TO INCLUDE THE ALTERNATIVE REQUIREMENT OF ONSITE INCLUSIONARY HOUSING WHICH STATES 20 UNITS OR MORE; INTRODUCE THE ORDINANCES IN SUBITEMS B AND C; AND ADOPT THE RESOLUTION IN SUBITEM D. Second by Young. Passed by the following vote: Peters-yea, Faulconer-yea (nay on portion relating to 150% Area Median Income), Atkins-yea, Young-yea, Maienschein-yea (nay on portion relating to onsite inclusionary housing), Frye-yea, Madaffer-yea (nay on portion relating to onsite inclusionary housing), Hueso-yea.

ITEM-311: 4134 4<sup>th</sup> Avenue Hillcrest Summit Tentative Map, Project No. 76244.

RETURNED TO THE MAYOR'S OFFICE

Owners - Waterford Investment; LLC, Hugh and Mary Maguire, Verona Botte, Louis & Peggy Botte, Carmel & Georgie Botte, and Louis Ball.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 78 existing residential units to condominiums, located at 4134 4<sup>th</sup> Avenue.

(Uptown Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-312: 4560-4566 35<sup>th</sup> Street Map Waiver, Project No. 80665.

RETURNED TO THE MAYOR'S OFFICE

Owners – Dr. Michael Erickson and Crystal Erickson.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver to convert 4 existing residential units to condominiums, located at 4560-4566 35<sup>th</sup> Street, Lot 24, Block 55.

(Normal Heights Neighborhood of the Mid-City Communities Plan Area.  
District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-313: 2350 Third Avenue Tentative Map, Project No. 82295.

RETURNED TO THE MAYOR'S OFFICE

Owners – M.S. Browar Family Trust dated Feb. 9, 1988: Matthew S. & Nancy A. Brower, Trustees.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 16 existing residential units to condominiums, located at 2350 Third Avenue.

(Uptown Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-314: 2005 Grand Avenue Vesting Tentative Map, Project No. 82815.

RETURNED TO THE MAYOR'S OFFICE

Owners – Mazi Properties, L. P.: William G. and Carol Lee Scoortis.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Vesting Tentative Map to allow the conversion of 9 existing residential units to condominiums, located at 2005 Grand Avenue.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-315: 849-55 ½ Emerald Street, Project No. 83668.

RETURNED TO THE MAYOR'S OFFICE

Owner – Allison McGee.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Tentative Map to allow the conversion of 7 existing residential units to condominiums, and waiver to waive the requirement to underground existing overhead utilities, located at 849-55 ½ Emerald Street.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-316: 4081 Arizona Street Tentative Map, Project No. 81311.

RETURNED TO THE MAYOR'S OFFICE

Owners – Oliphant Family Trust: Don Oliphant, Judy Oliphant; Williams Family Trust: Tim Williams, Stacy Williams; Oliphant Grandchildren Trust FBO Stacy Williams: Stacy Williams, Don Oliphant Trustee; and Oliphant Grandchildren Trust FBO Tiffany Silverman: Tiffany Silverman, Don Oliphant Trustee.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 10 residential units to condominiums, located at 4081 Arizona Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-317: 4158 Alabama Street Tentative Map, Project No. 82346.

RETURNED TO THE MAYOR'S OFFICE

Owner – Leviathan Partners: Richard Ennis, sole member.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 7 residential units to condominiums, located at 4158 Alabama Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:



- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-318: 4054 Illinois Street Tentative Map, Project No. 84341.

RETURNED TO THE MAYOR'S OFFICE

Owners – 4054 Illinois Street, LLC: Troy D. Smith and Brad L. Shoemaker.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of eight existing residential units to condominiums and waiver for undergrounding overhead utilities on a 0.16 acre site, located at 4054 Illinois Street in the MR-1250B Zone of Mid-City Communities Planned District.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-319: 1816 Diamond Street Map Waiver, Project No. 84301.

RETURNED TO THE MAYOR'S OFFICE

Owners – Robert D. and Lanette C. Hickman.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver application to waive the requirements of a Tentative Map to convert 4 existing residential units into condominiums, located at 1816 Diamond Street located between Missouri Street and Emerald Street.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-320: 830 Missouri Street Coastal Development Permit/Map Waiver, Project No. 85119.

RETURNED TO THE MAYOR'S OFFICE

Owners – Missouri Holdings, Inc: Ron Fletcher, Rick Jones, Don Liddy, and Bill & Carol Frontis.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Map Waiver application to waive the requirements of a Tentative Map to convert 4 existing residential units to condominiums. A waiver to waive the requirement to underground existing overhead utilities, located at 830 Missouri Street located between Chalcedony Street and Diamond Street.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-321: 2625 Highland Avenue, Project No. 85954.

RETURNED TO THE MAYOR'S OFFICE

Owner - Eli Cohen.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 7 existing residential units to condominiums on a 0.161-acre site. The site is located at 2625 Highland Avenue, in the RM-1-1 and OR-1-1 Zones.

(City Heights Neighborhood of the Mid-City Communities Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-322: 319 W. Hawthorn Street Tentative Map, Project No. 81829.

RETURNED TO THE MAYOR'S OFFICE

Owner - 1805 Columbia Street LLC: Mo Siry, sole member.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 7 existing residential units to condominiums. A waiver to waive the requirement for undergrounding exiting overhead utilities, located at 319 West Hawthorn Street.

(Uptown Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-323: 4514 Cleveland Avenue Tentative Map, Project No. 81831.

RETURNED TO THE MAYOR'S OFFICE

Owners – John Alioto, Rose Romani and Salijo Hendershaw; John Alioto and Laura Lee Alioto, Rose Alioto Romani, Salijo Alioto Hendershaw and Santa Ann Alioto 1999 Trust.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 9 existing residential units to condominiums, located at 4514 Cleveland Avenue.

(Uptown Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-324: 1560 Coronado Avenue Tentative Map, Project No. 82897.

RETURNED TO THE MAYOR'S OFFICE

Owner – Coronado Homes Manor, LLC: Craig White, sole owner.



This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 76 existing residential units to condominiums on a 1.76 acre-site located at 1560 Coronado Avenue in the RM-3-7 Zone within the Otay Mesa Nestor Community Plan, Coastal Height Limitation Overlay Zone.

(Otay Mesa-Nestor Community Area. District 8.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-325: 4631 Kansas Street Tentative Map, Project No. 83546.

RETURNED TO THE MAYOR'S OFFICE

Owners – Richard & Sharon Jones.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 7 existing residential units to condominiums on a 0.16 acre-site at 4631 Kansas Street in the MR-1500 Zone of the Mid Cities Community Planned District within the Greater North Park Community Plan Area.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-326: 835 Thomas Avenue Coastal Development Permit/Tentative Map, Project No. 84312.

RETURNED TO THE MAYOR'S OFFICE

Owner - Clarke Trust: Willam G. Clarke and Joanne E. Clarke.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Tentative Map to allow the conversion of 11 existing residential units to condominiums, located at 835 Thomas Avenue.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-327: 901 Sapphire Street Coastal Development Permit/Tentative Map, Project No. 84320.

#### RETURNED TO THE MAYOR'S OFFICE

Owners: Clarke Trust dated November 12, 1991: William G. Clarke and Joane E. Clarke.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Tentative Map to allow the conversion of 10 existing residential units to condominiums, located at 901 Sapphire Street.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-328: 1621 La Playa Coastal Development Permit/Tentative Map, Project No. 85333.

RETURNED TO THE MAYOR'S OFFICE

Owner – Marty McGee.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Tentative Map to allow the conversion of 24 existing residential units to condominiums. A waiver to waive the requirement for undergrounding existing overhead utilities, located at 1621 La Playa.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-329: 867 Beryl Street Coastal Development Permit/Map Waiver, Project No. 85962.

RETURNED TO THE MAYOR'S OFFICE

Owner – Daniel Lennon.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Map Waiver application to waive the requirements of a Tentative Map to convert 2 existing residential units to condominiums, located at 867 Beryl Street.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-330: 4303 Mentone Street Map Waiver, Project No. 86201.

RETURNED TO THE MAYOR'S OFFICE

Owners – Mentone Condos, LLC: Don W. Oliphant, Tiffany Silverman, Ron Kimura, Mark Silverman, Stacy Williams, and Tim Williams.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 7 existing residential units to condominiums, located at 4303 Mentone Street.

(Peninsula Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.



FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-331: 4176 Vermont Street Map Waiver, Project No. 81206.

RETURNED TO THE MAYOR'S OFFICE

Owner – Anita R. Kelly.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver application to waive the requirements of a Tentative Map to convert 2 existing residential units to condominiums, located at 4176 Vermont Street.

(Uptown Community Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-332: 5344 Rex Avenue Tentative Map, Project No. 85769.

RETURNED TO THE MAYOR'S OFFICE

Owners - Casa de Las Palmas LLC: John I. Nobel & Mahin Nobel, Trustees of the Nobel Family Trust.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 12 existing residential units to condominiums, located at 5344 Rex Avenue.

(City Heights Neighborhood of the Mid-City Communities Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-333: 5080 Brighton Avenue, Project No. 85967.

RETURNED TO THE MAYOR'S OFFICE

Owner – Katrina Barry.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Map Waiver application to waive the requirements of a Tentative Map to convert 4 existing residential units to condominiums, located at 5080 Brighton Avenue.

(Ocean Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-334: 1051 Hayes Avenue Map Waiver, Project No. 86198.

RETURNED TO THE MAYOR'S OFFICE

Owners – William and Joanne McKee.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver to allow the conversion of four existing residential units to condominiums, located at 1051 Hayes Avenue.

(Uptown Community Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-335: 4580 39<sup>th</sup> Street Tentative Map, Project No. 86206.

RETURNED TO THE MAYOR'S OFFICE

Owner – Shirley Segal.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 16 existing residential units to condominiums, located at 4580 39<sup>th</sup> Street.

(Normal Heights Neighborhood of the Mid-City Communities Plan Area.  
District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-336: 1919 Mission Avenue Tentative Map, Project No. 86852.

RETURNED TO THE MAYOR'S OFFICE

Owner – Hardy Trust: Shirley Segal, sole member.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 6 existing residential units to condominiums, and a waiver to waive the requirement for undergrounding existing overhead utility lines, located at 1919 Mission Avenue.

(Greater North Park Community Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-337: 4751 Terrace Drive Map Waiver, Project No. 80492.

RETURNED TO THE MAYOR'S OFFICE

Owners - Dan and Joni Ferreira, Trustees of the Ferreira Revocable Living Trust.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver application to waive the requirements of a Tentative Map to convert 2 existing residential units to condominiums, located at 4751 Terrace Drive.

(Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or



- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-338: 4776 Lamont Street Tentative Map, Project No. 80849.

RETURNED TO THE MAYOR'S OFFICE

Owners - St. George Manor, L.P.: Kleinbub Family Trust & Pacific Transnet Real Estate: Fredrick Kleinbub, sole member.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 20 existing residential units to condominiums, located at 4776 Lamont Street.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-339: 4020 Kansas Street Tentative Map, Project No. 82766.

RETURNED TO THE MAYOR'S OFFICE

Owners - K.C. Trust: Piysh Kumar and Shrilekha Champaneri, Members.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 8 existing residential units to condominiums, located at 4020 Kansas Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-340: 4027 Utah Street Tentative Map, Project No. 82773.

RETURNED TO THE MAYOR'S OFFICE

Owners – K.C. Trust: Piysh Kumar and Shrilekha Champaneri, Members.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 8 existing residential units to condominiums.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-341: 4202 4<sup>th</sup> Avenue Tentative Map, Project No. 86842.

RETURNED TO THE MAYOR'S OFFICE

Owner – Mike Roark.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 30 existing residential units to condominiums. A waiver to waive the requirement for existing overhead utility lines to be undergrounded, located at 4202 4<sup>th</sup> Avenue.

(Uptown Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-342: 825 Missouri Street Tentative Map/Coastal Development Permit, Project No. 85420.

RETURNED TO THE MAYOR'S OFFICE

Owner – Terrance P. Buckley, Miles Amarino, Harvey Oringer & Spartan Equity, Inc. (Sole owner: Terrance P. Buckley)

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Tentative Map to convert 8 existing one-bedroom residential apartments to condominiums, located at 825 Missouri Street on a .1435 acre site with 8 existing parking spaces.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-343: 4594 Pescadero Avenue Coastal Development Permit/Map Waiver, Project No. 85767.

#### RETURNED TO THE MAYOR'S OFFICE

Owners – John DeRose and Kathleen Hancock.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Map Waiver application to waive the requirements of a Tentative Map to convert 3 existing residential units to condominiums, located at 4594 Pescadero Avenue.

(Peninsula Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-344: 3751 Bancroft Street Tentative Map, Project No. 86851.

RETURNED TO THE MAYOR'S OFFICE

Owners – Bancroft Village, LLC: Enrique Villarreal Ortega, Abraham Sherman, and Ken Finn.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.



The project proposes a Tentative Map to convert 7 residential units to condominiums, located at 3751 Bancroft Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-345: 3740-46 Alabama Street Tentative Map, Project No. 86857.

RETURNED TO THE MAYOR'S OFFICE

Owners – Investments Balboa, LLC: Enrique Villarreal Ortega, Abraham Sherman, and Kern Finn.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 18 residential units to condominiums, located at 3740-46 Alabama Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-346: 4625 Kansas Street Tentative Map, Project No. 87003.

RETURNED TO THE MAYOR'S OFFICE

Owner – Robert Boelard.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 7 residential units to condominiums, located at 4625 Kansas Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-347: 4876 Mansfield Street Map Waiver, Project No. 86855.

RETURNED TO THE MAYOR'S OFFICE

Owner - Dana Horne.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver to convert 2 existing residential units to condominiums, located at 4876 Mansfield Street.

(Normal Heights Neighborhood of the Mid-City Communities Plan Area.  
District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-348: 4255 Winona Avenue Tentative Map, Project No. 87147.

RETURNED TO THE MAYOR'S OFFICE

Owner – MJX Properties, Inc.: Melvin John Haste, sole shareholder.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map application to allow the conversion of 7 existing residential units to condominiums, located at 4255 Winona Avenue.

(City Heights Neighborhood of the Mid-City Communities Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-349: 4742 35<sup>th</sup> Street Tentative Map, Project No. 87479.

RETURNED TO THE MAYOR'S OFFICE

Owners – Dakota Kids, LLC: Linda K. Dunham, Judy Dunham, Ronald L. Dunham and Doreen Dunham.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 14 residential units to condominiums, located at 4742 35<sup>th</sup> Street.

(Normal Heights Neighborhood of the Mid-City Communities Plan Area.  
District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-350: 4133 Florida Street Tentative Map, Project No. 89306.

RETURNED TO THE MAYOR'S OFFICE

Owners: Robert D. and Margaret B. Bills 1993 Family Trusts: Robert D. Bills and Margaret B. Bills.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 7 residential units to condominiums, located at 4133 Florida Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)



ITEM-351: 4024 Georgia Street Tentative Map, Project No. 89197.

RETURNED TO THE MAYOR'S OFFICE

Owners - Southern Seven, LLC: Steven Worley and Patsy Worley.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map application to allow the conversion of 7 existing residential units to condominiums, and a waiver to waive the undergrounding of overhead utilities, located at 4024 Georgia Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-352: 1125 Hornblend Street Coastal Development Permit/Tentative Map, Project No. 90149.

RETURNED TO THE MAYOR'S OFFICE

Owners - Terrace Ouest, LLC: Mary Elizabeth LeFriant, Jacque L. LeFriant, and Christopher D. LeFriant.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Tentative Map application to allow the conversion of 11 existing residential units to condominiums, located at 1125 Hornblend Street.

(Pacific Beach Community Plan Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-353: 4522 Utah Street Tentative Map, Project No. 91143.

RETURNED TO THE MAYOR'S OFFICE

Owners - Cheshire Holdings: Irene and John Stein Partners.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 8 residential units to condominiums, located at 4522 Utah Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-354: 5646 Riley Street Tentative Map, Project No. 86853.

RETURNED TO THE MAYOR'S OFFICE

Owners - Jerome Nava and Christine Nava.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 5 existing residential units to condominiums, and a waiver to waive the requirements of undergrounding overhead utilities on a 0.115 acre site, located at 5646 Riley Street.

(Linda Vista Community Area. District 6.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-355: 6150 El Cajon Boulevard Tentative Map, Project No. 89813.

RETURNED TO THE MAYOR'S OFFICE

Owner(s) – HCA Plaza LTD.: Al Assad, Jr., General Partner

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 105 residential units to condominiums, and create 6 commercial condominiums on a 1.932 acre site, located at 6150 El Cajon Boulevard.

(College Community Area. District 7.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)



ITEM-356: 9404-9494 Carroll Canyon Road Tentative Map, Project No. 90632.

(R-2006- ) ADOPTED AS RESOLUTION R-301537

Owners – 9494 Carroll Canyon, LLC: Wayne R. Green and Marilyn D. Green.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 156 existing residential units to condominiums on a 6.17 acre site, located at 9404-9494 Carroll Canyon Road.

(Mira Mesa Community Area. District 5.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: MEET

COUNCIL ACTION: (Time duration: 4:24 p.m. – 6:16 p.m.)

Testimony in opposition by Evelyn Heidelberg, Brian Fish, Rebecca Michael, Jeremy Cowan, and Chris Christensen.

Testimony in favor by Cory Briggs and Kathy Evans-Calderwood.

MOTION BY FAULCONER TO DENY THE APPEAL AND UPHOLD THE ENVIRONMENTAL DETERMINATION. Second by Madaffer. Passed by the following vote: Peters-yea, Faulconer-yea, Atkins-yea, Young-yea, Maienschein-yea, Frye-nay, Madaffer-yea, Hueso-yea.

ITEM-357: 4410 Utah Street Tentative Map, Project No. 91092.

**RETURNED TO THE MAYOR'S OFFICE**

Owners - 4368 Ohio L.P.: Isaac Achalel and Mauricio Edwade, Members.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes an application to convert 8 existing residential units to condominiums and undergrounding overhead utilities waiver on a 0.16-acre site, located at 4410 Utah Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:



- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-358: 4330 43<sup>rd</sup> Street Tentative Map, Project No. 90698.

RETURNED TO THE MAYOR'S OFFICE

Owner - Eleni Koros.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 8 residential units to condominiums, located at 4330 43<sup>rd</sup> Street.

(Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-359: 4629 35<sup>th</sup> Street Tentative Map, Project No. 91776.

RETURNED TO THE MAYOR'S OFFICE

Owner - Justin Beope.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes Tentative Map to convert 7 residential units to condominiums, located at 4629 35<sup>th</sup> Street.

(Normal Heights Neighborhood of the Mid-City Communities Plan Area.  
District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-360: 4740 48<sup>th</sup> Street Tentative Map, Project No. 91924.

RETURNED TO THE MAYOR'S OFFICE

Owners - Jack and Alice Lambert.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes an application to convert 6 existing residential units to condominiums and undergrounding overhead utilities waiver on a 0.143-acre site, located at 4740 48<sup>th</sup> Street.

(Kensington-Talmadge Neighborhood of the Mid-City Communities Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-361: 3711 30<sup>th</sup> Street Map Waiver, Project No. 92085.

APPEAL WITHDRAWN, NOTED AND FILED

Owners - 3711 30<sup>th</sup> Street, LLC: Bruce Dammann and Ellen Mosley.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver application to waive the requirements of a Tentative Map to convert 3 existing residential units to 3 residential condominiums (under construction) and file a certificate of completion on a 0.114 acre site, located at 3711 30<sup>th</sup> Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or

- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-362: 8562 Hurlbut Map Waiver, Project No. 90870.

RETURNED TO THE MAYOR'S OFFICE

Owners - Edgar Millsberg and Nelson Millsberg.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver to waive the requirements of a Tentative Map to convert 4 existing residential units to condominiums on a 0.161-acre site. The property is located at 8562 Hurlbut Street in the RM-3-7 Zone within the Serra Mesa Community Plan area, located at 8562 Hurlbut Street.

(Serra Mesa Community Area. District 6.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-363: 4563 Narragansett Avenue Map Waiver, Project No. 93630.

RETURNED TO THE MAYOR'S OFFICE

Owner - Jeanne M. Bellezzo.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable

Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit and Map Waiver to waive the requirement for a tentative map to convert two existing residential units to condominiums. Included is a Waiver from the requirement to underground the existing overhead utilities, located at 4563 Narragansett Avenue.

(Peninsula Community Plan Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)



ITEM-364: 2404 'J' Street Tentative Map, Project No. 87368.

RETURNED TO THE MAYOR'S OFFICE

Owner – George Woo.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to allow the conversion of 11 existing residential units to condominium units and undergrounding overhead utilities waiver on a 0.289 acre site, located at 2404 J Street in the MF-3000 Zone of Southeastern San Diego Planned District within the Southeastern SD Community Plan.

(Southeastern San Diego Community Area. District 8.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-365: 4045 33<sup>rd</sup> Street Tentative Map, Project No. 93050.

RETURNED TO THE MAYOR'S OFFICE

Owners - Jeffrey and Marsha Lewis 2002 Trust: Jeffrey L. Lewis and Marsha J. Lewis.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 10 residential units to condominiums, located at 4045 33<sup>rd</sup> Street.

(City Heights Neighborhood of the Mid-City Communities Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-366: 3540 Mission Boulevard Tentative Map, Project No. 93931.

RETURNED TO THE MAYOR'S OFFICE

Owners – Richard Uy & Josephine Jennifer Flores-Uy.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 8 existing residential units to condominiums, and a waiver to waive the undergrounding of overhead utilities, located at 3540 Mission Boulevard.

(Mission Beach Community Plan Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-367: 3645 Arizona Street Tentative Map, Project No. 93932.

APPEAL WITHDRAWN, NOTED AND FILED

Owners - Joe M. Finkbiner and Ronald P. Burke.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 14 existing residential units to condominiums, including a request to waive the requirement to underground existing overhead utilities, on a 0.313-acre site, located at 3645 Arizona Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-368: 4672 Del Monte Avenue Coastal Development and Map Waiver, Project No. 94010.

RETURNED TO THE MAYOR'S OFFICE

Owners – Olivas Family Trust: Kristi C. and Victor R. Olivas.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes to allow the conversion of 2 existing residential units to condominiums, located at 4672 Del Monte Avenue.

(Ocean Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-369: 2660 Mission Boulevard Vesting Tentative Map, Project No. 92959.

RETURNED TO THE MAYOR'S OFFICE

Owners – Gerald M. Sylvain and Michael Monroe.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Vesting Tentative Map to convert 8 existing residential units to condominiums on a 0.102 acre site, located at 2660 Mission Boulevard.

(Mission Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-370: 4003 Kansas Street Vesting Tentative Map Project No. 94376.

RETURNED TO THE MAYOR'S OFFICE

Owner - Avocet Properties, LLC: David Gray and Mark Clausen.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Vesting Tentative Map (VTM) to convert 6 existing residential units to condominiums on a 0.24 acre site, located at 4003 Kansas Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.



Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-371: 3934 Hamilton Street Tentative Map, Project No. 94494.

RETURNED TO THE MAYOR'S OFFICE

Owners - Charles & Ilene Mittman.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert seven existing residential units to condominiums, and a waiver to waive the undergrounding of existing overhead utilities, located at 3934 Hamilton Street.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-372: 5014 Auburn Drive Tentative Map, Project No. 94780.

RETURNED TO THE MAYOR'S OFFICE

Owner - Steve Whitehead.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 12 residential units to condominiums, located at 5014 Auburn Drive.

(City Heights Neighborhood of the Mid-City Communities Plan Area. District 7.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-373: 3923 Riviera Drive Coastal Development Permit/Vesting Tentative Map, Project No. 95185.

RETURNED TO THE MAYOR'S OFFICE

Owner - DDI Investments, LLC: Diane G. Faulds.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Vesting Tentative Map to convert three existing residential units to condominiums, and a waiver to waive the requirements for the undergrounding of existing overhead utilities, located at 3923 Riviera Drive.

(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-374: 1209 Azusa Street Tentative Map, Project No.94628.

RETURNED TO THE MAYOR'S OFFICE

Owners - Riley Azusa, LLC: Micheal Cutchin, General Partner.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 8 existing residential units to condominiums on a 0.20 acre site, located at 1209 Azusa Street.

(Linda Vista Community Plan Area. District 6.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-375: 4619 West Point Loma Boulevard Coastal Development Permit/Map Waiver, Project No. 96313.

RETURNED TO THE MAYOR'S OFFICE

Owner - Kirsten Keithly.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Map Waiver to waive the requirements of a Tentative Map to convert two existing residential units to condominiums, and a waiver to waive the undergrounding of existing overhead utilities on a 0.086 acre site, located at 4619 West Point Loma Boulevard.

(Ocean Beach Community Plan Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-376: 2220 Calle Frescota Coastal Development Permit/Map Waiver, Project No. 97189.

RETURNED TO THE MAYOR'S OFFICE

Owner - Sandpatch, LLC: James M. Thomas.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit/Map Waiver to waive the requirements of a Tentative Map to convert 2 existing residential units to condominiums on a 6,890 square-foot site, located at 2220 Calle Frescota.

(La Jolla Shores Planned District within the La Jolla Community Plan Area. District 1.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-377: 3684 42<sup>nd</sup> Street Tentative Map, Project No. 95616.

RETURNED TO THE MAYOR'S OFFICE

Owner – Mohammad Emami

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 7 existing residential units to condominiums and undergrounding overhead utilities on a 5,259 square-foot site at 3684 42<sup>nd</sup> Street in the RS-1-7 Zone of the Central Urbanized Planned District within the City Heights Neighborhood of Mid-City Communities Plan Area, located at 3684 42<sup>nd</sup> Street.



(City Heights Neighborhood of the Mid-City Communities Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-378: 4838 Market Street Tentative Map, Project No. 96317.

RETURNED TO THE MAYOR'S OFFICE

Owner – 4838 Market Street Property LLC: Shahram Assef, member.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation,

concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map (TM) to convert 7 existing residential units to condominiums and undergrounding overhead utilities waiver on a 0.188 acre site, located at 4838 Market Street.

(Encanto Neighborhood of Southeastern Community Plan Area. District 4.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-379: 2233 Ulric Street Tentative Map, Project No. 96590.

RETURNED TO THE MAYOR'S OFFICE

Owners – Michael and Vivian K. Contreras.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 142 residential units to condominiums, located at 2233 Ulric Street.

(Linda Vista Community Plan Area. District 6.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-380: Cabrillo Palisades – 7901 Harmarsh Street , Project No. 97472.

RETURNED TO THE MAYOR'S OFFICE

Owners – Universe at Cabrillo Palisades, LLC: Lisa Manoucheri, Henry Manoucheri, Said Manoucheri, Shlomo Goldberg, and David Zargari

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Tentative Map to convert 369 existing residential units to condominiums on a 17.06-acre site. Project site is located at 7901 Harmarsh Street within the RN-3-7 zone. (Lots 1, 2, 3, and 4 of Cabrillo Palisades Unit No. 1, Map No. 3971; Lots 5, 6, and 7 of Cabrillo Palisades, Unit No. 2, Map No. 4180).

(Serra Mesa Community Plan Area. District 6.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or

- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-381: 5411 Santa Margarita Vesting Tentative Map, Project No. 97654.

RETURNED TO THE MAYOR'S OFFICE

Owners – Vista Grand Apartments, L.P.: Michael J. Davies, Steve Billings, Christopher D. Sickels, Donald T. Dinsmore, Clarence J. Ferrari, Jr., and John G. Davies.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Vesting Tentative Map (VTM) to convert 47 existing residential units to condominiums and undergrounding overhead utilities waiver on a 2.44 acre site, located at 5411 Santa Margarita.

(Encanto Neighborhood of the Southeastern Community Plan Area. District 4.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-382: 3445 28<sup>th</sup> Street Map Waiver, Project No. 97186.

RETURNED TO THE MAYOR'S OFFICE

Owner – Leona Hoffert.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation,

concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver application to waive the requirements of a Tentative Map and undergrounding overhead utilities to convert 2 existing residential units to condominiums on a 0.109-acre site, located at 3445 28<sup>th</sup> Street, in the RS-1-7 Zone.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-383: 4724 30<sup>th</sup> Street Vesting Tentative Map, Project No. 97621.

RETURNED TO THE MAYOR'S OFFICE

Owner - Richard Mansur Trust: Richard Mansur.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes Vesting Tentative Map to convert seven existing residential units to condominiums and waiver for undergrounding overhead utilities, located at 4724 30<sup>th</sup> Street, between Adams Avenue and Suncrest Drive, within the Greater North Park Community Planning Area. Legal Description: Lots 15 and 16, Block I, University Heights Map 951.

(Greater North Park Community Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney



NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-384: 4670 Newport Avenue Map Waiver, Project No. 98099.

RETURNED TO THE MAYOR'S OFFICE

Owners - Diane E. Farrell and Jennifer T. Frasca.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit and Map Waiver to waive the requirements of a Tentative Map and undergrounding overhead utilities to convert two existing residential units to condominiums, located at 4670 Newport Avenue.

(Ocean Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or

- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-385: 2147 Brant Street Map Waiver, Project No. 91128.

RETURNED TO THE MAYOR'S OFFICE

Owner - Foxfins, Inc: Stephen P. Oggel, Sole Member.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes to allow the conversion of 4 existing residential units to condominiums on a 0.12-acre site, located at 2147 Brant Street.

(Uptown Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-386: 1949 Grand Avenue Map Waiver, Project No. 96319.

RETURNED TO THE MAYOR'S OFFICE

Owner – MET, Inc.: Michael E. Turk.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit and Map Waiver application to waive the requirements of a Tentative Map and to underground overhead utilities in order to convert two existing residential units into condominiums and create two commercial condominium units on a 0.143 acre site, located at 1949 Grand Avenue, in the CN-1-2 Zone.

(Pacific Beach Community Plan Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-387: 3830 Tennyson Map Waiver, Project No. 98100.

RETURNED TO THE MAYOR'S OFFICE

Owners – Kirsten & Geoff Rael.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver to waive the requirements of a Tentative Map and undergrounding overhead utilities to convert two existing residential units to condominiums, located at 3830 Tennyson.

(Peninsula Community Plan Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-388: 835 Felspar Street Map Waiver, Project No. 98683.

RETURNED TO THE MAYOR'S OFFICE

Owner(s) – Felspar IV, LLC: Michael Marinkovich and Casimir Stidman.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Coastal Development Permit and Map Waiver to waive the requirements of a Tentative Map to convert a four-unit residential apartment structure (currently under construction) to four residential condominium units, and waiver from the requirement to underground existing overhead utilities, located at 835 Felspar Street.

(Pacific Beach Community Plan Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-389: 4063 Brant Street Map Waiver, Project No. 99333.

APPEAL WITHDRAWN, NOTED AND FILED

Owners - Lee Schwartz, William J. Hopkins, and James Glina.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes a Map Waiver to waive the requirements of a Tentative Map to convert a three-unit residential apartment structure (currently under construction) to three residential condominium units, and waiver from the requirement to underground existing overhead utilities, located at 4063 Brant Street.

(Uptown Community Plan Area. District 3.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

ITEM-390: 2223 Felspar Street Map Waiver, Project 101703.

RETURNED TO THE MAYOR'S OFFICE

Owner(s) – Armstrong Custom Homes, LLC: Thomas Armstrong.

This is an appeal of the environmental determination that the above referenced project is exempt from CEQA under CEQA Guideline section 15301. Appeal of this environmental determination was filed by Citizens for Responsible Equitable Environmental Development c/o Cory J. Briggs, Briggs Law Corporation, concerning the determinations by City staff that the project ownership conversion from apartment dwelling units to condominium ownership (when there are no physical changes which are not otherwise exempt) are exempt from the California Environmental Quality Act (CEQA) for the project.

The project proposes to allow the conversion of 4 existing residential units to condominiums, located at 2223 Felspar Street, Lots 7 and 8, Block 208, Pacific Beach, City and County of San Diego.



(Pacific Beach Community Area. District 2.)

According to the San Diego Municipal Code Section 112.0520, the City Council shall consider the appeal and shall, by a majority vote:

- 1) Deny the appeal, uphold the *environmental determination* and adopt the CEQA findings of the previous decision-maker, where appropriate; or
- 2) Grant the appeal and make a superceding *environmental determination* or CEQA findings; or
- 3) Grant the appeal, set aside the *environmental determination*, and remand the matter to the previous decision-maker, in accordance with Section 112.0520, to reconsider the *environmental determination* that incorporates any direction or instruction the City Council deems appropriate.

Staff: Eileen Lower - (619) 446-5345  
Jacqueline Lindsay - Deputy City Attorney

NOTE: This item is not subject to Mayor's veto.

FILE LOCATION: NONE

COUNCIL ACTION: (Time duration: 10:20 a.m. – 10:22 a.m.)

REPORT OUT OF CLOSED SESSION:

Awaiting closed session report from City Attorney.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 6:16 p.m. – 6:16 p.m.)

**NON-DOCKET ITEMS:**

None.

**ADJOURNMENT:**

The meeting was adjourned by Council President Peters at 6:17 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Time duration: 6:17 p.m.)